IN THE HIGH COURT OF JUDICATURE
FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

1) S.B. CIVIL WRIT PETITION NO.8527/2007.

Rashtriya Jan Kalyan Sansthan
Vs.
Union of India & Ors.

2) S.B. CIVIL WRIT PETITION NO.8528/2007.

Rashtriya Jan Kalyan Sansthan
Vs.
Union of India & Ors.

Date of order : 11/10/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Ajay Gupta for the petitioner.

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BY THE COURT:-

The petitioner has filed this writ petition challenging the order dated 29/8/2007 of the District Collector, Sikar as well as the order dated 1/9/2007 of the Assistant Labour Commissioner, Sikar whereby a direction has been issued to close down all the 24 Child Labour Schools of the district.

2) Learned counsel for the petitioner has prayed that while setting aside the aforesaid impugned-orders, the respondents be directed to release the permission in favour of the petitioner to run the Child Labour School being previously run at Gram Panchayat Khatu Shyam Ji, Panchayat Samiti Dantaramgarh, Gram Panchayat Ramgarh, Panchayat Samiti Dantaramgarh, Gram Panchayat Danta-IV and Panchayat Samiti Dantaramgarh.

3) Having heard the learned counsel for the petitioner and perused the material on record, I find that the aforesaid Child Labour Schools were being granted permission to run the same under the special scheme of the government. The District Collector, Sikar on receiving the complaint entrusted the inquiry to the Sub-Divisional Officer. The Sub-Divisional Officer in his report submitted that the funds which is being received by the petitioner-institution are being misused. The S.D.O. in his inquiry report found various

irregularities in running of the Child Labour Schools. It was thereafter that the District Collector has decided to close down the school and dis-continue grant which hither to be given. Consequently, the Project Director passed the consequential order dated 1/9/2007.

4) Learned counsel for the petitioner argued that neither the proper inquiry was conducted nor opportunity of hearing was afforded to the petitioner.

5) I do not deem it consider this is to be a fit case in which this Court in exercise of its power of judicial review under Article 226 of the Constitution of India interfere with the action taken by the respondents. The discontinuation of grant of funds to the petitioner-institute cannot be faulted in view of the irregularities of misusing the funds having been found by the S.D.O. on a proper inquiry. However, I set the petitioner at liberty to make a representation to the Labour Secretary, Bal Shramik Pariyojna Sanstha,

Government of Rajasthan, Government Secretariat, Jaipur as also to the District Collector, Sikar to convince about the genuineness of its case.

With the aforesaid liberty, both the writ petitions are disposed of.

(MOHAMMAD RAFIQ), J.

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